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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ CRL.M.C. 3843/2015

DEEPAK KUMAR Petitioner

Through: Mr. Proxy counsel
(*Appearance not given*)

versus

STATE (GNCT OF DELHI) & ANR Respondents

Through: Mr. Akshai Malik, APP for State with
SI Ghanshayam Kishore.

CORAM:

HON'BLE MR. JUSTICE R.K.GAUBA

ORDER

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27.08.2018

The present petition was filed seeking quashing of the proceedings in case FIR No.63/2015, under Sections 468/465/467/471/420 of the Indian Penal Code, 1860 (IPC) at Police Station Dwarka-South, on the ground that the matter has been amicably resolved with the second respondent (complainant).

Status report was earlier filed which reveals that the case was registered pursuant to the directions of the learned Metropolitan Magistrate on the application under Section 156(3) of Cr.P.C. issued. As per the allegations in the case, the petitioner had approached the complainant, President of Co-operative Group Housing Society Limited for membership

on the basis of the documents, which upon scrutiny were found to be forged and fabricated, efforts thereby having been made to commit the offence of cheating.

Learned Additional Public Prosecutor for the State, on instructions from SI Ghanshayam states that the police had concluded the investigation and filed a closure report. But, the learned Metropolitan Magistrate upon scrutiny has found some deficiency in the investigation *vis-a-vis* the PAN card which was also one of the documents which were used in the offences alleged in the complaint/FIR and, therefore, has directed further investigation, rejecting the closure report.

Against the above backdrop, where allegations of forgery and fabrication of documents in the nature of valuable security have been made and which need further investigation pursuant to directions of the Court of learned Metropolitan Magistrate such offences being grave and serious, beyond the domain of “private dispute” between two parties, no case is made out for quashing of FIR on the basis of such settlement (*Parbatbhai Aahir alias Parbatbhai Bhimsinhbhai Karmur and Others v. State of Gujarat and Another*, (2017) 9 SCC 641).

The petition is dismissed.

R.K.GAUBA, J.

AUGUST 27, 2018
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